

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SATYANARAYAN HEDGE, M.D.,

Plaintiff,

-against-

MONTEFIORE MEDICAL CENTER, et al.,

Defendants.

21-CV-9596 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff proceeds in this matter *pro se*. He filed the action on November 18, 2021. (ECF 1.) Because he did not submit a filing fee or an application to proceed *in forma pauperis* (“IFP”), the Court directed him to do so, first on December 7, 2021, and then on January 31, 2022 (ECF 4, 8.)

The Court is now in receipt of Plaintiff’s motion for leave to file an amended complaint and a response to the Court’s order directing Plaintiff to submit payment or an IFP application. (ECF 9.) Plaintiff asserts that he paid the filing fee and attaches a November 17, 2021, receipt for a postal money order, drawn in the amount of \$402.00, and made payable to the Clerk of Court of this court. (ECF 9-2.) The Court, however, never received this postal money order. Thus, this deficiency has not been cured.

This action is subject to dismissal should Plaintiff fail to tender payment or submit an IFP application. In light of Plaintiff’s clear intention to litigate this matter, the Court grants him an additional 20 days to pay the filing fees or submit an IFP application. The Court declines to rule on Plaintiff’s motion until Plaintiff cures this deficiency.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: March 18, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge